

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

STEVIE D. JONES, #568611

v.

MEDICAL CITY OF DENTON, ET AL.

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Civil Action No. 4:20-CV-456

(Judge Schell/Judge Nowak)

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE

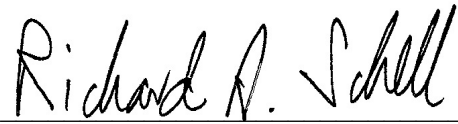
Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636 (Dkt. #7). On April 7, 2021, this case was transferred to the undersigned (Dkt. #18). On March 3, 2023, the report of the Magistrate Judge (Dkt. #72) was entered containing proposed findings of fact and recommendations that Defendant Medical City Denton's Motion to Dismiss (Dkt. #62) and Defendant Denton County Detention Center/Jail's Motion to Dismiss Pursuant to Fed. R Civ. P. 12(b) (Dkt. #63) each be granted, that Defendant Medical City Denton's Motion to Strike or Alternatively, Motion to Dismiss (Dkt. #69) be denied as moot, that Plaintiff's Motion Requesting *Spears vs. McCotter* Hearing (Dkt. #67) be denied, and Plaintiff's claims against Medical City Denton, Denton County Detention Center/Jail, and all other named defendants, be dismissed with prejudice. Having received the report of the Magistrate Judge, and no objections thereto having been timely filed to the report and recommendation, the court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the court.

It is therefore **ORDERED** that Defendant Medical City Denton's Motion to Dismiss (Dkt. #62) and Defendant Denton County Detention Center/Jail's Motion to Dismiss Pursuant to Fed. R Civ. P. 12(b) (Dkt. #63) are each **GRANTED**, that Defendant Medical City Denton's

Motion to Strike or Alternatively, Motion to Dismiss (Dkt. #69) is **DENIED AS MOOT**, that Plaintiff's Motion Requesting *Spears vs. McCotter* Hearing (Dkt. #67) is **DENIED**, and Plaintiff's claims against Defendants Medical City Denton, Denton County Detention Center/Jail, and all other named defendants, are hereby **DISMISSED WITH PREJUDICE**.

IT IS SO ORDERED.

SIGNED this the 27th day of March, 2023.

A handwritten signature in black ink, reading "Richard A. Schell". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE